

Questions from the LIP Informational Meetings

January 2005

General Questions:

1. About terminology, Active management- what does this mean? *Active Management* is a management approach in which landowners actively manipulate habitat/ecosystems through timber harvesting and thinning, mowing, clearing and restoring habitat to improve forest health and to create habitat for wildlife.
2. What are examples of potential habitat for LIP? Grasslands, old fields, early successional forest, woodlots, thickets, etc. Upland projects are encouraged.
3. Is MassWildlife's focus *just* on projects that relate to early successional forest and grasslands? We are focusing on these types of habitat for the first rounds of grants. However, projects in other habitat will be considered.
4. Is barrier beach habitat eligible? Yes, these types of projects are also a priority of this program and will be considered equally with the upland projects that are proposed.
5. How about Coastal Plain Ponds as a restoration project covered under LIP? Yes, more specifically, the surrounding plains. However we are focusing on uplands.
6. Is there a difference between applying for money to mow every year vs. intensive treatment such as burning every four years? The applicant must decide which technique is the best for their property and the management of their habitat.
7. Can you get money every year for mowing? LIP is designed to be "seed money" to get the project started, there's no guarantee that funds would be awarded every year to carry on the same project. However, the most expensive part of reclaiming fields and maintaining Early Successional Forest are the initial cuts and clearing. Regular maintenance is less costly and in most cases easier to perform.
8. Why are wetlands such as issue this first round? MassWildlife has decided not to focus on wetlands this time around.
9. Will MassWildlife partially fund some projects because of the amounts requested? No. We want to fund the whole project for that year. So make sure what you propose to do is feasible to accomplish within the Grant Agreement Period. You can apply to finish the rest of the project the following year.
10. Please explain the 75-25 payment plan associated with LIP? The 75-25 plan means that MassWildlife, through a grant from the US Fish and Wildlife Service (USFWS) will reimburse the landowner up to 75% of the cost for the on-the-ground practices that are

involved in the management of the project. The landowner is required to come up with the 25% match. This match can be financial (cash) or can be an in-kind (labor and equipment) contribution.

11. Is there a higher priority for creating new habitat or maintain those that are already there? No distinction has been made which is a priority- between the stages of field or grassland development. Keeping open land open is what is important, not the degree as to which needs to be done to keep it open.

12. Grasslands Restoration, do you require native seed? In every case we will encourage native stock. We realize that this can be more expensive but we really want to restore the habitat of the Northeast. So please make sure you are using species that are endemic to the northeast region of the US (PA-north).

13. I want to keep a small piece of my total acreage out of the LIP managed area for a house in the future. Can I do this and still be considered for LIP? The only requirement is to maintain the “project area” in the same land use for the length of the contract. The rest of your property will not be considered as the LIP Project Area..

14. I don’t know what the land I just bought is best suited for in terms of species-at-risk. Where do I get help finding out what’s there? How is the average landowner supposed to know what habitat improvements are needed for wildlife? Landowners can work with Land Trusts, Conservation Organizations, Town Conservation Commissions and other professionals to put together the management plans. There is limited Technical Consultation available by MassWildlife. However, it is not available while the application process is open.

15. How does the average private landowner compete with the NGO’s in this process? Will there be any consideration to spread the grant money to private landowners who do not do this type of work for a living? This grant process was set up for the benefit of wildlife on private lands so that everyone from individuals to groups like Land Trusts and Conservation Organizations would be able to receive money to restore and create wildlife habitat. The Request For response (RFR) is designed to be a fair and equitable process. There is help available from your local foresters, Land trusts and Conservation Organizations. In the following years, limited technical advice will be available from MassWildlife while the application period is not open.

16. A sample management plan would be helpful to applicants. Please see the website for a sample management plan.

17. Will grant winners be listed in a public way somewhere? Some people may not want to have it known that their land is open to the public and would not want to have there names out in the public. The Grantee by name, town, practice, and amount received will be included in the Scope of Service (all the agreed to conditions, including access, stated in your contract) and posted on the Comm-Pass website.

18. Do we expect that there will be continued funding in future years for this program? Is long-term funding guaranteed? It is not guaranteed, this is a federally funded competitively grant program and funding to the states can fluctuate from year to year. That is why this is intended to be a “seed” grant to get you started. That being said, the

next year of funding has already been approved and MA will be applying for the grant again.

19. In this particular project, they want to use sheep to keep the open field habitat open. Is this an appropriate practice for LIP? Grazing for maintenance is a great way to keep an area open. Grazing is a great tool for maintaining grassland bird habitat. However, you must be careful not to over graze and to move your herd around to different areas to allow the grass to grow up into suitable wildlife habitat. And the practice can be used to meet your match requirements.

20. Do I understand the program correctly that you will pay for 1 years activity but require a ten to fifteen year commitment on my part? Yes, due to the funding being federal, we cannot guarantee that the funding will be there every year. So we must get all the work we can get done in the grant agreement period (1st year). The contract keeps the land in the same landuse for the term of the contract. That protects the State's investment into the private landowner's property.

21. What is the difference between the length of the contract and the length of time when the money can be spent? The state can only spend money one year at a time. The Contract length will be longer and reflects the landowner commitment to the wildlife conservation. This means that the LIP Project Area has to be kept in the same landuse for that amount of time. The grant agreement period to spend the money is for one year only.

22. If the landowner is willing to commit 10 year commitment is the state making a similar commitment? The State cannot commit financially to more than one year at a time. The commitment the landowner is making is to only keep the LIP Project Area in the same landuse. The landowner is not required to actively manage the LIP Project Area for the length of the contract (only for the year in which the grant money was received). However, the landowner will rank higher in future grant rounds for additional management on that project because of the landowners commitment and the State's investment in your property.

23. Does mowing have to be done each year? No, mowing should probably be done every 2-3 years to keep out woody-invasives but allow grassland birds adequate habitat for nesting.

24. Where can I find the BioMap, Living Waters and other maps to locate the Wildlife Management Areas? There is a link to the Natural Heritage and Endangered Species Program's Interactive BioMap on the LIP webpage. If you do not have access to a computer, you can visit your town offices and library. Maps have been provided to every city and town (Conservation Commission or Planning Board). Contact your town hall for more information.

25. Will Natural Heritage maps help the application? Yes, the more detailed map you can provide, the better it will be for the biologists ranking the applications to identify what is happening with your property.

26. I have a deer yard on the farm. How will this rank? Can I use LIP money for supplemental feeding? This grant was set up to benefit Species-At-Risk. This type of project would not be considered. Management Plans must be for the benefit of Species-at-risk. We will not fund supplemental feeding. We won't fund planting corn, but managing grassland and open habitats will rank high.

27. Who can I hire to help write my management plan? It is not required to hire a professional. Some Management Plans can be very simple. If you feel that you cannot write a management plan on your own, you can hire or work with Land Trusts, Contract foresters, Conservation Organizations Society of American Foresters, and other Professional Societies. You can also pay for a consulting firm to work with you. However, we cannot reimburse you for any costs incurred prior to the beginning of the grant (i.e. when you get the Notice to Proceed).
28. Will you fund a wetlands project? We will consider wetland-type projects. However, this first year we are focus our efforts on upland projects involving early successional projects, grasslands, fields and woodlots.
29. Has MassWildlife gone to Massachusetts Association of Conservation Commissions to let them know about this program? MACC has received information about the program electronically through MassWildlife News and other E-Newsletters.
30. Where do I go to get a LIP application? The Application is available for downloading on the LIP website and the Comm-Pass website. There are two sets of forms the LIP forms (on the LIP website) and the Commonwealth Forms (Comm-Pass website). Your application must include all these forms to be considered complete.
31. What is the LIP website? How can I get an application and all the forms if I don't own a computer? http://www.mass.gov/dfwele/dfw/dfw_lip.htm. If you don't own a computer, most town libraries provide computer resources. The reason we are not mailing hardcopies is that the RFR may be changed or a form may need to be adjusted. So you would have incorrect information. There have been no changes made to this point.
32. Is there a list of ranking criteria available? The Ranking Criteria is available on the LIP Website.
33. How are points awarded for the ranking criteria? Points are awarded for each category or number.
34. Are there limits on the upper and lower sizes or amounts of projects? No, there is no minimum or maximum limit to the project or grant award you can receive.
35. Can this money be used to purchase a Conservation restriction? Not at this time.
36. My habitat has been severely degraded some years ago. How do I go about assigning what is possible to create or recreate to put a long-term management plan together? Technical questions such as this are best addressed through consultation with a professional. While the grant application period is closed, limited technical assistance will be available from DFW.
37. I know my property was never inventoried for BioMap. If I get one of these grants will the information developed about species be of interest to NHESP? Yes, the information could be beneficial to NHESP.

38. What are priority natural communities? **These are important plant and animal communities that don't exist in high numbers in Massachusetts. Go to the website for a comprehensive list <http://www.mass.gov/dfwele/dfw/nhesp/nhclass.htm>**
39. We grow hare and cottontails for hunting on our club. We always have extras. Could we give them to the state as in-kind for work done on our property for species at risk? **No.**
40. Will future funding include money to develop management plans or focus on on-the-ground implementation activities? **MassWildlife's LIP program is focused on the on-the-ground, active implementation of habitat creation and restoration.**
41. Does MassWildlife encourage partnerships? **Involving other landowners to work together on lands that are nearby or adjacent to their property to create a much larger habitat for wildlife is encouraged and may improve ranking.**

Location and Protection Questions:

1. Does degree of protection matter in the application? **Yes. The greater the degree of protection, the higher the ranking in the criteria.**
2. In a Condominium Association, their meadows have return to woodlands. The project is adjacent to protected National Wildlife Refuge (NWR) AND Town Conservation Land. Should projects emphasize surrounding properties? **Yes.**
3. Am I eligible if my land is in Chapter 61 or 61A? **Yes. Make certain you are in compliance with your Chapter 61 or 61A requirements.**
4. What if I have an existing Forestry Management Plan in place? **If you have a Forestry Plan in place you should consult your forester to review your Stewardship Plan. You may use a Forestry plan to help write your LIP Management Plan. Just make sure that your LIP Management Plan does not interfere with your Forestry Plan or you could lose your Chapter 61 status.**
5. What about Chapter 61 property that could be improved – is that eligible for funding? **Forest improvements do qualify, but you need to check your Chapter 61 agreement as well as any other restrictions that may be on the property before applying. You may also want to consult a forester regarding management. Remember - always approach your LIP application from a habitat/wildlife perspective.**
6. How does LIP fit in with the Forest Stewardship Program? **LIP is an active management plan that can fit in with a FSP. Money from both programs can be used on a particular project so long as you meet each programs match requirements. You cannot use funds from one program to pay the match of another.**
7. I have forested land next to protected land, is this a good fit for LIP? **Yes. It is part of our Ranking Criteria.**

8. What do you mean when you say “my land is *adjacent* to a Wildlife Management Area”? **Adjacent does not have to mean that it “abuts” or touches your property. It is important to note in your application that there are other protected habitats or similar habitats in the vicinity.**
9. I have land that is protected by the Rivers Protection Act. Can I still be considered for LIP? **Yes. However, property that falls under the Rivers Protection Act could trigger additional permits and compliance requirements.**
10. Are BioMap and Living Waters good references for a project? **Yes, we use BioMap and Living waters as our target areas and as one of the Ranking Criteria for selecting projects.**
11. Does BioMap Core habitat have a higher ranking? **Yes. To find out if your property is with the BioMap core habitat, please visit the MassWildlife Natural Heritage website and use the Interactive BioMap to locate your property. Additionally you can go to find out if your property falls in Core habitat at your town offices.**
12. Does the tax status of the land in an application make any difference? **Tax status itself does not make a difference. However, degree of protection is a Ranking Criteria.**
13. Do grantees have any flexibility as to where the management practices occurs with the LIP Project Area? **Yes, as long as the management practice occurs in the LIP Project Area delineated in the application. For example, if you propose to burn three acres on a thirty acre plot, you can choose which three acres are in need of management.**

Policy and Application Process Questions:

1. What do we need to provide to MassWildlife for a complete application? **The applicant must supply *MassWildlife* with 5 copies of each of the following: 1) LIP cover page, 2) LIP Management Plan, 3) Budget Form (with quotes from contractors) and 4) Required Map(s). Additionally, 1 copy of the following forms from the Comm-Pass website are required: 1) Taxpayer Identification Form (W)9, 2) Northern Ireland Notice, 3) Standard Contract Form, 4) Vendor Authorized Signature Verification Form, 5) Consultant Vendor Mandatory Submissions Form and 6) Terms and Conditions Form. Any application that does not contain all of these documents will not be considered. Any additional information that relates to the LIP Ranking Criteria should also be provided. Completed applications are due prior to the announced deadline posted in the RFR.**
2. Can you go over the schedule of deadlines (when work can commence, when work will be completed)? **Applications will be considered until **April 15th**. Selections will be made by **June 1st**. Work will be set to begin after **July 1st**. Applicants will have until **June 30th of 2006** to finish the project within the grant agreement.**
3. Comm-Pass is hard to work through for first timers can you tell me the forms I need to look for? **To get to the LIP information on Comm-Pass, go to the site and do a search for solicitations and type in “Land Owner” in the keyword blank and search. Click on the**

solicitation and then click “view” (the glasses). From there read the LIP RFR (under the Specifications tab) and go to the Forms and Terms tab to view and download the financial forms required for the Commonwealth (Forms: 1) Taxpayer Identification Form (W9), 2) Northern Ireland Notice, 3) Standard Contract Form, and 4) Terms and Conditions)

4. Can the grant be used for monitoring? Monitoring can be a reimbursable activity if it is necessary and reasonable to accomplish the project objectives. LIP is an implementation grant so monitoring should be a small component of the total grant request.

5. LIP requires that we be able to measure the success of our projects - are research and monitoring costs covered by the reimbursement? Research is not covered by this grant. Monitoring can be covered when it is an evaluation tool, if within grant period and applicable to grant. Example: Monitoring done within the grant agreement period, but prior to the actual management practice being implemented will be covered after the landowner receives the Notice to Proceed.

6. Survey work such as soil testing, etc. Can these be included in the costs? This type of work can be covered, if completed within grant period and applicable to grant agreement.

7. Should the management plan be for the whole property or just the LIP Project Area in the application? The management plan should be for the specific LIP Project Area that you are applying for. However, you are encouraged to note your overall plan for your whole property.

8. I would like to apply for more than one project, is that possible? What is the best way to submit a grant that involves several parcels? Yes, you may apply more than once per landowner. If the lands are owned by different landowners, each landowner has to submit the necessary LIP forms for the land that they own.

9. Am I better off bundling all the parcels I want to submit as one application or should they each be identified under separate applications? This depends on the project. If the parcels will make a complete project across more than one parcel of the same ownership, they can be all filed together as one “complete” project. If the land is owned by more than one person or the projects are in different areas of the state, you will need to apply for each one separately. You need to have a separate management plan, budget, map and cover page for each project you apply for. The Commonwealth forms on the Comm-Pass website only need to be filled out once per landowner.

10. Would a collaborative grant application including several landowners rank higher than another? Yes, any collaboration that looks at a landscape scale to link habitats together will rank high. State process requires that each landowner be reimbursed and meet their match separately.

11. Should the application show costs for work that will be required in other years or just for work needed in the grant agreement period? The Budget needs to show only the costs for the practices that will occur within the current grant period.

12. I’m making a pasture using USDA money and it only gets me so far. Can I use LIP to clear stumps to finish the pasture? LIP funding can be used to finish the project only if the primary purpose of the pasture is for wildlife habitat and you meet the match

requirements of both federal programs. USDA funding cannot be used to meet LIP match requirements.

13. If my project is approved, what restrictions go with the program? If your project is approved, you will sign a contract and be obligated to the terms of the contract for the duration of the contract. Each contract will differ between projects. Therefore, we cannot give a specific answer.

14. Will we be providing a list of potential vendors? No. That is one of the strong points of this program. You can work with anyone. If your uncle Mike has a brush-hogger you can use that and may actually work to your advantage in terms of match.

15. A friend mows his fields after the birds have fledged but it's hard to find someone to bale for him at that time of year. Do we have any information that would help him find someone to bale for him? There are many ways to locate a vendor. Talk with Land trusts and Conservation organization to see who does their work, use the internet to locate contractors or talk with foresters, farmers and town officials.

16. Do vendors that we contract with have to be approved by the state? No, the state and federal government require a competitive bid process, which is this RFR grant round. A grantee can contract with any vendor of its choice.

17. Would hiring a certified Wildlife Biologist be helpful in developing my application? Yes, Wildlife Biologists and foresters can help you project.

18. Will LIP pay for fire as a practice? Yes subject to the applicant obtaining the necessary permits. Fire will be included in the list of practices that LIP funding may go to. It probably will be used to create fire breaks and other pre-burn manipulations.

19. What about multi-year projects such as burning on a rotational basis? Are these eligible for funding? Yes, but LIP would fund what you propose to do for that first year, then you have the option to reapply each year for additional funding. It would be important in your application to describe the long term management plan of what you plan to do year to year even though you are applying for the first year's scope of services.

20. Does the State have equipment that is available for landowners to use? No.

21. Will MassWildlife pay to leave hay standing and cut late in the year? We will pay for the late mowing of the project area as a practice but not for the economic loss of the hay value and the primary purpose of the field becomes wildlife habitat. Meaning that rotational mowing in non-successive years will apply.

22. How does invasives control rank in LIP? Controlling and removing invasives and exotics as a practice must relate to early successional forests and grasslands creation and management.

23. Does adding food, vegetation or shelter for wildlife qualify? Yes. We stress that restoring and creating wildlife habitat provides food and shelter. We will not fund supplemental activities (such as feed, physical structures etc...). LIP is intended for "Species at risk". Therefore, food plots for species such as deer and turkey will not be considered.

24. If an application is focused on invasives control, what would LIP be paying for? LIP practices include the application of herbicides, grazing and removal of invasives among other practices. Choice of practice is at the discretion of the applicant given the ecology of the invasive or exotic and the means that need to be taken to eliminate it.
25. Does MassWildlife want a Forestry management plan to be submitted along with the LIP application? It is not required. However, any additional information you can provide with your application (pictures, aerial photos, etc.) that will help the LIP Technical Review Committee rank your application will help you.
26. Is there an advantage to having a site map with the management plan? A site map is required for your application. The more detailed the map is the better it will rank in that criteria.
27. Can we pay for low grade removal of timber after a high grade cut? We are not subsidizing low grade removal. Take out low grade as part of the timber sale. However, projects looking to restore lands that were high-graded either under previous ownership or in the past (greater than 10 years ago) will be considered as long as it meets these attributes: Site must be appropriate for even aged forest regeneration (generally >75 year old northern hardwood or mixed northern/central hardwoods forest on stable soils) of tree species that are intolerant to intermediate in shade tolerance (e.g., quaking aspen, black cherry, red oak). Landowner must retain at least 10 square feet of basal area per acre of the original overstory canopy, but must retain no more than 25 square feet of basal area per acre of the original overstory canopy (try to retain groups of 3 or more trees scattered throughout the stand) in order to create early successional forest habitat with valuable structural attributes.
28. Who will be inspecting the completed projects? The LIP Coordinator will be inspecting projects before the work starts, during the work and at the completion of the project. The contract you will sign will allow him on your property to inspect the work.
29. Could I submit an application that would pay for fencing? Yes, this grant has been set up for the protection and restoration of habitats that benefit species-at-risk.
30. You say that you can work with an applicant to “tweak” a proposal. When does this occur, after they have been awarded the grant or during the review process? After they have been awarded the grant and we visit the site for the first time. Small changes may be made that do not increase the grant award.
31. Which list of species will we use to determine the species that are associated with the habitat: Landowner Incentive Program list or the Natural Heritage Official State List? Both. The reason we put both lists is to broaden the list of species available for LIP funding and increase opportunities for landowners.
32. Does the landowner do all the contracting of the services to be done in the management plan? Yes, the landowner should be getting written and itemized quotes from contractors to do the work. These quotes should be included with the budget.

33. In the management plan, do we list wildlife we have encountered on the property? **Yes, please include wildlife (especially species that occur on the State lists) documented on the property.**
34. Should I include photos with my application? Which types of photos are more helpful to include in the application, aerial or ground photos? **Both, the more detail you can give about the property the easier it is for the LIP Technical Review Committee to rank your project.**
35. Can controlled sheep grazing be used for invasives? **Yes, sheep can as a practice and can be used to control invasives. And if you own the sheep it can be used as an in-kind match (see practice components sheet for rates).**
36. What maps are best? **GIS maps are the best maps. But any other maps should include as much detail of the project.**
37. What do you mean by *feasible*? **Feasibility is a *must* for any project that is to be funded. Can the work realistically be done during the grant agreement period? How does the project fit into the landscape habitat? Are the methods and costs appropriate for the project?**

Financial and Reimbursement Questions:

1. Is there any flexibility with the budget during the contract? **There is some flexibility with the budget. However, we will not increase the grant awarded amount. We will not reimburse beyond the amount agreed upon in the contract. We will not pick up the tab for poor cost estimation.**
- 2.) What are allowable costs? **Allowable costs are limited to those costs that are necessary and reasonable to accomplish approved project purposes (objectives).**
- a.) All costs must be supported by source documentation or other records as necessary to substantiate the funds. Such documents are subject to review by the Division of Fisheries and Wildlife staff to determine the eligibility of costs.
 - b.) Cost incurred prior to the effective start date of the grant agreement or after the close of the grant agreement are not allowed.
 - c.) Administrative costs in the form of overhead or indirect costs are not allowable cost under the Landowner Incentive Program
 - d.) Project costs (or match) derived from any federal source are NOT allowable costs
 - e.) Cost prohibited under state or local laws or regulations are not allowable costs
 - f.) Costs must be consistent with state/federal policies, regulations, and procedures
3. What can the match be made of? **It can be cash, or in-kind contribution, or a combination of both**
4. What is meant by In-kind contributions. Where do I find in-kind rates? **In-kind contributions include goods or services provided to meet match requirements rather than money. In-kind contributions must meet the same standard as any other allowable cost**

item (see allowable costs above). In-kind contributions can only be used to meet the Landowner's match requirements. The value of in-kind contributions represents what the State would have paid for similar services on the open market. Examples of in-kind services include: volunteer time donated to a particular project and the use of donated equipment. See the Practice component rates sheet on the website for rates you may include in your budget for in-kind services.

5. Can you match more than 25%? Yes, minimum match requires 25%. If you propose to match greater than this amount, the higher your project will rank.
6. What's the process for receiving reimbursement? You submit an invoice with supporting documentation (invoices from contractors, in-kind tracking sheet or proof of payment to contractor) to the LIP Coordinator at the Westborough Field Headquarters address. That will be checked with your original budget and the invoice will be signed off on after a site visit, and will be forwarded to the Boston office for payment.
7. How often can you submit for reimbursement? You have the option of submitting monthly, quarterly, or at the end of the project... However it is required that those grantees that plan on using in-kind contributions to make up 100% of their matching costs, request reimbursement at the end of the project or after they can provide evidence of their match requirements have been met. We need to make certain that you meet your match requirements.
8. I'm already doing some of things this grant would pay for can I be reimbursed for these activities? You cannot be reimbursed for actions or work performed prior to the start date on the Notice to Proceed from the State or for work performed after the grant period closes.
9. How does LIP pay for reoccurring activities like mowing? We can only pay for one year of work at a time. The landowner has the option to reapply for the next year of funding. Future funding is not guaranteed.
10. If I hire a contractor to do the work will I be reimbursed for his time? Yes, if the work was done during the grant agreement period, the contractor will be paid what we agree to in the proposed budget.
11. What are the rates you pay for these practices? The rates published on the LIP webpage (Practice Component Rates) are to give people an idea for what they should expect from contractors and to use those rates to measure their in-kind services on their project.
12. What if my contractor charges me a rate different than the one you have posted? The rates of pay will be whatever the contractor receives for salary in his normal line of work minus, overhead and fringe benefits.
13. What if the total cost of the project is more than I had in my budget and more than we agreed to in the contract? You will not receive anymore money that what you had budgeted. We will reimburse you for what was agreed upon in the contract.
14. A Condo Assoc. has a management company to mow etc. They have an employee on site can his time be used as match? Yes, his hours can be considered as a match at the rate of which the employee's regular rate of pay excluding fringe benefits and overhead or

\$20/hr. You can use employees of outside organizations salary as match. However, the employee's time must be necessary and reasonable to accomplish the project objectives. Also, no component of the employee's salary can be from a federal source. You can not use federal funds to match a federal grant.

15. WHIP is very similar to LIP, but has a cap of \$2,000 per acre. Does LIP have the same parameters? At this point there is no cap per acre.

16. Can you be reimbursed for your own employees? Yes, salaries are an eligible cost given that the cost is incurred within the grant period and the salary is necessary and reasonable to accomplish the grant objectives. Overhead costs will not be reimbursed.

17. What about volunteer time being used as match? I see that in-kind services are worth \$20.00/hour. What if someone who is working on the project doing technical work donates his time? Volunteer labor time can be used as match. Volunteer labor hours should be quantified at \$20/hour. Volunteer hours must be verifiable and applicable to the grant. Keep a journal and log all volunteer hours. The log should be submitted along with the In-kind Tracking Sheet signed by the volunteer, landowner and the LIP Coordinator. When a professional donates their services, the in-kind rate will be that of the employee's salary. The way it works is that anyone doing regular work that they would normally do for their job can be reimbursed their regular wage minus overhead and fringe benefits.

18. Can Land Trusts apply and can they use overhead charges as in-kind? Yes and No

19. Will the town give me a tax break if I commit to hold my land in this land use for ten to fifteen years? No

20. As an applicant how do I report the money I get from you on my income taxes? DFW is not qualified to give tax advice. We suggest you consult your tax preparer about receiving the grant.

21. Are pre-grant costs reimbursable? Will I be reimbursed for work that I do in anticipation of receiving a LIP Grant? Specifically, what if you hire a forester to write the management plan as part of your grant application? No, pre-agreement costs will be covered under the grant.

22. When is the earliest an applicant could see any money being reimbursed to them? You can submit an invoice for reimbursement once work has been accomplished and after the effective date stated on your Notice to Proceed. You can expect to receive the money within 30 days of verification that the work has been done.

23. Could the donation of a conservation easement be used as in-kind match? Yes, and has the potential to generate a larger than 25% match. However, it must be a *permanent easement* or it will not be accepted as in-kind. It has to go through a separate process that is atypical to the program. Land that already has a Conservation Easement on it will rank higher in the review process but will not be able to be used as in-kind. The donation of a new Conservation Easement is an approach MassWildlife would be willing to work with the landowner to accomplish.

24. What if someone who is working on the project doing technical work charges more than \$20/hr? If someone is charging you for a service that is an allowable cost it is

considered a direct cost and the \$20/hr rates would not apply. You would be reimbursed for the actual cost incurred at the rate defined in the contract (ex. 75%). The practice rates provided on the LIP website are used to value in-kind contributions and as a tool to help landowners gage estimated cost. Direct costs must be built into the budget and agreed upon in the contract before work commences.

25. Are overhead *costs* eligible under LIP? **No.**

26. Can non-profits use overhead as *in-kind*? **No.** The MassWildlife LIP program will not allow overhead as in-kind.

27. Can monitoring be used as match? **Yes, if within grant period and reasonable and applicable to grant.** Monitoring should be a minor cost of the grant budget.

28. What if a federal agency is providing services towards the project – can that be used a match? **No.**

29. What about using equipment for match? What about depreciation? **No.** The use of equipment itself cannot be used as match. The rate of the practice is reimbursable or can be used as in-kind.

Compliance and Legal Questions:

1. The RFR states that Landowners are responsible for complying with all state and federal regulations. Could you elaborate on this? **It is the Landowner's responsibility to comply with all local, state, and federal laws and regulations.** DFW will be able to provide a supportive role; however, it will be up to the landowner to obtain any necessary permits, file cutting plans, or do anything else that may be applicable to their particular project. DFW will not obtain these permits or file plans for the landowner. DFW will assist the landowner by providing advice and/or support; however, it is important for landowners to follow the traditional channels.

Worrying about compliance should not prevent a landowner from submitting proposals. All landowners planning on conducting any projects on their land must comply with local, state, and federal laws and regulations regardless of funding source. Compliance is not required just because the landowner is receiving state or federal funding.

2. How would the landowner know if they are in compliance? **There are many local, state, and federal resources available to landowners to determine if their planned activities might conflict with State and Federal laws and regulations.** A good place to begin might be with your local town officials (ex. conservation commission) or your contractor. There can be variability in town/city requirements. Your local conservation commission or local contractors will likely be familiar with regulations that directly relate to your town. Landowners are also encourage to seek advice from state agencies such as MEPA Office, DCR, CZM, DEP, DFW (Natural Heritage Program for MESA review). Private consultants are another resource available to landowners.

3. Regarding compliance, the RFR makes specific reference to the Section 106 of the Historic Preservation Act, National Environmental Policy Act, and the Endangered Species act. Will DFW help to conduct these reviews? **There are 3 federal law reviews (Section 106 Historical, NEPA, and ESA Section 7 reviews) that the DFW must submit to the US Fish**

and Wildlife Service in order to receive federal funding. Since these reviews require the signature of the Director of the Division of Fisheries and Wildlife, DFW will conduct these reviews. The NEPA checklist review may likely require a collaborative effort between DFW staff and the landowner.

4. What happens if I sell the property? The new landowner is subject to the same requirements of the old landowner. The covenant the applicant signs showing their commitment to keep the parcel in the continued land use is filed with the deed. Filing with the Registry of Deeds is the responsibility of the applicant and cost can be reimbursed if it is within the grant period. MassWildlife requires proof that the covenant has been filed with the Registry.
5. Can we explain what happens if break the terms of the Grant Agreement are there damages beyond simply repaying the money that I have taken from LIP? If a landowner breaks the Grant Agreement for the practices agreed upon in the management plan, the landowner will not be reimbursed.
6. What if I break the registered covenant to keep the LIP Project Area in the same landuse? Breach of the covenant is a serious matter and the landowner will be held accountable for damages. The covenant is a legal document that will be filed with the Registry of Deeds and runs with the land.
7. Do these lands have to be open to hunting if we are successful in getting an application approved? You are only obligated to the terms of your contract.
8. Do I have to allow Public Access to receive LIP funding? No. Public access for hiking, fishing and/or hunting and other recreational activities will give you a higher rank in the application process but it is not required.
9. What if I allow public access and something happens on my property to someone? Am I liable for anything? Any landowner permitting use of his property for recreation without charging a fee is not liable for injuries to recreational user or their property except in cases of willful, wanton or reckless conduct by the owner (Chapter 21, Section 17C MGL)
10. Do landowners need special insurance to be eligible for LIP? No.
11. Would I lose points if there was no way that public access could be provided to my land? Land might be surrounded by railroad tracks, interstate highway etc. You will never lose points. With the Ranking Criteria, you will be awarded points for certain things, but we wouldn't take any away. That said, land with public access will rank higher than those without it.
12. Will you take an application for a wetlands restoration? In this first year we are focused on early succession forest, old fields, grasslands and other upland habitats. We will accept applications for wetlands restoration. However, you need to have all the necessary permits prior to applying.
13. Can we preempt local conservation commission authority to get needed permits for a project? No.

14. We have a mosaic habitat including wetlands. Would this land be eligible for LIP. What about compliance issues? **This land would be eligible for a grant if it ranks high enough. Compliance issues will arise and you must have all your permits before applying**